Wai 3561, #A7

Environment Canterbury
Regional Council
Kaunihera Taiao ki Waitaha

Customer Services
P. 03 353 9007 or 0800 324 636
200 Tuam Street
PO Box 345
Christchurch 8140
E. ecinfo@ecan.govt.nz
www.ecan.govt.nz

17 February 2026

RECEIVED
Waitangi Tribunal
12 Mar 26
Ministry of Justice
WELLINGTON

Jesse Thompson

By email: [redacted]

Dear Jesse

Local Government Official Information and Meetings Act 1987 ("LGOIMA"): Request for Information

Thank you for your email dated 19/01/2026 requesting the following information:

- Non-Compliance Reports: All formal notifications or incident reports received by ECan from the CCC regarding the sewage discharge between Jan 10–13, 2026.
- Consent Conditions: A copy of the specific Discharge Consent conditions for the Simeon Quay and Corsair Bay pump stations, specifically regarding "unauthorised discharges" and reporting requirements.
- Investigation Records: Any internal ECan correspondence or assessment notes regarding whether the reported "bottle blockage" constitutes a breach of the Resource Management Act (RMA) or the specific consent conditions.

We have decided to withhold the information you requested in relation to the non-compliance reports and investigation records, under section 6(c) of the LGOIMA. Section 6 sets out the conclusive reasons for withholding official information. Under s 6(c), information may be withheld where making it available would be likely:
"to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial."

Because the matters you have requested relate to a current and active investigation, releasing the information at this time would be likely to:

- compromise ongoing investigative steps
- prejudice the gathering and assessment of evidence
- affect the integrity and fairness of the investigative process

Guidance from the Ombudsman confirms that section 6(c) appropriately applies where release would prejudice an active investigation, including criminal, regulatory, or disciplinary inquiries.
Accordingly, this is a conclusive reason for withholding and is not subject to a public interest test.

The Christchurch City Council (CCC) has now cleared and repaired the pump, with three monthly servicing now scheduled. While beaches were closed as a precaution, water quality testing showed only minor elevations which returned to normal after approximately four days.

In regard to your request for a copy of the specific discharge consent conditions for the Simeon Quay and Corsair Bay pump stations, we can confirm that CCC does not hold a wastewater discharge consent for these locations as it is a permitted activity under the Canterbury Land and Water Regional Plan however they are deemed non-compliant under rule 5.87 which defines such discharges as non-complying activities. A discharge that reaches the Coastal Marine Area would also not be permitted under

the Regional Coastal Environment Plan as either Rule 7.3 (Discretionary) or 7.6 (non-complying) would apply.

In relation to your complaint to the Ombudsman of 17 February 2026 copied to our Chief Executive, we advise that we have met the statutory deadline to respond to your LGOIMA request, which is 17 February 2026, being 20 working days, from when the scope of your request was clarified on 19 January 2026.

If you are not satisfied with this response, you can refer this matter to the Office of the Ombudsman under s27 (3) of the LGOIMA, however please feel free to contact me if you have any additional questions.

Yours sincerely,

Paul Hulse
General Manager Regulatory Implementation